



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

KATHY MANKE
AVAGO TECHNOLOGIES LIMITED
4380 ZIEGLER ROAD
FORT COLLINS, CO 80525

COPY MAILED
SEP 07 2007

OFFICE OF PETITIONS

In re Application of
Jonah Harley, et al.
Application No. 10/722,698
Filed: November 24, 2003
Attorney Docket No. 10030475-1

DECISION ON PETITION

RECEIVED

SEP 17 2007

OFFICE OF PETITIONS

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed May 7, 2007, to revive the above-identified application.

~~The petition is GRANTED.~~

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed, August 9, 2006, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on November 10, 2006.

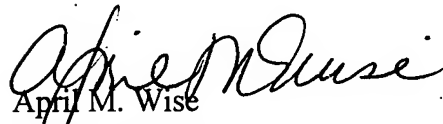
The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, (2) the petition fee of \$1500; and (3) an adequate statement of unintentional delay.

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. See 37 CFR 10.18(b) and Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131, 53178 (October 10, 1997), 1203 Off. Gaz. Pat. Office 63, 103 (October 21, 1997). In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, petitioner must notify the Office.

There is no indication that the person signing the petition was ever given a power of attorney to prosecute the application. If the person signing the petition desires to receive future correspondence regarding this application, the appropriate power of attorney document must be submitted. While a courtesy copy of this decision is being mailed to the person signing the petition, all future correspondence will be directed to the address currently of record until appropriate instructions are received.

Telephone inquiries concerning this decision should be directed to undersigned at (571) 272-1642.

This application is being referred to Technology Center AU 2617 for appropriate action by the Examiner in the normal course of business on the reply received May 7, 2007.


April M. Wise
Petitions Examiner
Office of Petitions

Cc: ROBERT W. NELSON
PO-BOX 1920
DENVER, CO 80201

Organization MDW Bldg./Room 7A58

UNITED STATES PATENT AND TRADEMARK OFFICE

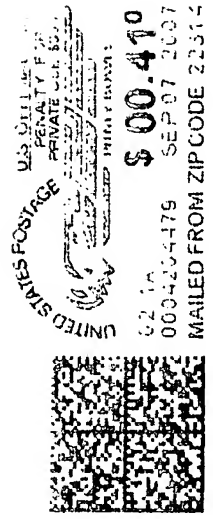
P.O. Box 1450

Alexandria, Va. 22313-1450

If Undeliverable Return In Ten Days

Official Business
Penalty For Private Use, \$300

AN EQUAL OPPORTUNITY EMPLOYER



ROBERT W. NELSON
PO BOX 1920
DENVER, CO 80201

RECEIVED
SEP 17 2007
OFFICE OF PETITIONS

RECEIVED
SEP 17 2007
ASPTO MAIL CENTER

NIXIE 809 DE 1 00 09/13/07

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 22313145050 *1569-00603-13-07

2008P19910503
2231301450

